

1 PHILLIP A. TALBERT  
United States Attorney  
2 SAMUEL E. STEFANKI  
JESSICA L. DELANEY  
3 Assistant U.S. Attorneys  
501 I Street, Suite 10-100  
4 Sacramento, CA 95814  
Telephone: (916) 554-2700  
5  
6 Attorneys for Plaintiff  
United States of America

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA,  
12  
13 Plaintiff,

14 v.

15 RICARDO GUERRERO,  
16 Defendant.

CASE NO. 1:21-CR-00240-JLT-SKO

PRELIMINARY ORDER OF  
FORFEITURE

17 Based upon the plea agreement entered into between the United States of America and defendant  
18 Ricardo Guerrero, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

19 1. Pursuant to 18 U.S.C. § 2253(a), defendant Ricardo Guerrero's interest in the following  
20 property shall be condemned and forfeited to the United States, to be disposed of according to law:

- 21 a. Samsung Galaxy S10 cell phone, seized from defendant by law enforcement on or  
22 about October 23, 2020, and  
23 b. any additional thumb drives, SD cards, compact discs, cell phones, hard drives, or  
24 other electronic storage devices containing visual depictions of minors engaged in  
sexually explicit conduct and seized from defendant by law enforcement on or  
about October 23, 2020.

25 2. The above-listed property constitutes property that contains visual depictions produced,  
26 transported, mailed, shipped or received in violation of 18 U.S.C. § 2251(a); and is property that was  
27 used or intended to be used to commit and to promote the commission of the aforementioned violation.  
28

1           3. Pursuant to Rule 32.2(b), the Attorney General (or a designee) shall be authorized to seize  
2 the above-listed property. The aforementioned property shall be seized and held by the U.S. Customs  
3 and Border Protection, in their secure custody and control.

4           4. a. Pursuant to 18 U.S.C. § 2253(b), incorporating 21 U.S.C. § 853(n), and Local Rule  
5 171, the United States shall publish notice of the order of forfeiture. Notice of this Order and notice of  
6 the Attorney General's (or a designee's) intent to dispose of the property in such manner as the Attorney  
7 General may direct shall be posted for at least thirty (30) consecutive days on the official internet  
8 government forfeiture site [www.forfeiture.gov](http://www.forfeiture.gov). The United States may also, to the extent practicable,  
9 provide direct written notice to any person known to have alleged an interest in the property that is the  
10 subject of the order of forfeiture as a substitute for published notice as to those persons so notified.

11           b. This notice shall state that any person, other than the defendant, asserting a legal  
12 interest in the above-listed property, must file a petition with the Court within sixty (60) days from the  
13 first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or  
14 within thirty (30) days from receipt of direct written notice, whichever is earlier.

15           5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court  
16 will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 2253(a) in which all interests will be  
17 addressed.

18 IT IS SO ORDERED.

19           Dated: November 29, 2023

  
UNITED STATES DISTRICT JUDGE